§ 27.40 Test to determine resistance to dust.

Components, subassemblies, or assemblies, the normal functioning of which might be affected by dust, such as coal or rock dust, shall be tested in an atmosphere containing an average concentration (50 million minus 40 micron particles per cubic foot) of such dust(s) for a continuous period of 4 hours. The component, subassembly, or assembly shall function normally after being subjected to this test.

NOTE: Dust measurements, when necessary, shall be made by impinger sampling and light-field counting technique.

§ 27.41 Test to determine resistance to moisture.

Components, subassemblies, or assemblies, the normal functioning of which might be affected by moisture, shall be tested in atmospheres of high relative humidity (80 percent or more at 65°–75 °F.) for continuous operating and idle periods of 4 hours each. The component or subassembly or assembly shall function normally after being subjected to those tests.

PART 28—FUSES FOR USE WITH DIRECT CURRENT IN PROVIDING SHORT-CIRCUIT PROTECTION FOR TRAILING CABLES IN COAL MINES

Subpart A—General Provisions

Sec.

Subpart B—Application for Approval

Subpart C—Approval and Disapproval

Subpart D—Quality Control

Subpart E—Construction, Performance and Testing Requirements

AUTHORITY: 30 U.S.C. 957, 961.

SOURCE: 37 FR 7562, Apr. 15, 1972, unless otherwise noted.

Subpart A—General Provisions

§ 28.1 Purpose.

The purpose of the regulations contained in this Part 28 is: (a) To establish procedures and prescribe requirements which must be met in filing applications for the approval of fuses for use with direct current in providing short-circuit protection for trailing cables in coal mines, or the approval of changes or modifications of approved fuses; (b) to specify minimum performance requirements and to prescribe methods to be employed in conducting inspections, examinations, and tests to determine the effectiveness of fuses for use with direct current in providing short-circuit protection for trailing cables in coal mines; and (c) to provide for the issuance of certificates of approval or modifications of certificates of approval for fuses which have met the minimum requirements for performance and short-circuit protection set forth in this part.

§ 28.2 Approved fuses.

(a) On and after the effective date of this part, fuses shall be considered to be approved for use with direct current in providing short-circuit protection for trailing cables in coal mines only where such fuses are: (1) The same in all respects as those fuses which have been approved after meeting the minimum requirements for performance and short-circuit protection prescribed

in this Part 28; and (2) maintained in an approved condition.

§ 28.3 Installation, use, and maintenance of approved fuses.

Approved fuses shall be installed and maintained in accordance with the specifications prescribed by the manufacturer of the fuses, and shall be selected and used in accordance with the standards prescribed for short-circuit protective devices for trailing cables in Parts 75 and 77, Subchapter O of this chapter.

§ 28.4 Definitions.

As used in this part—

(a) *Applicant* means an individual, partnership, company, corporation, association, or other organization that designs, manufactures, assembles, or fabricates, or controls the design, manufacture, assembly, or fabrication of a fuse, and who seeks to obtain a certificate of approval for such fuse.

(b) *Approval* means a certificate or formal document issued by MSHA stating that an individual fuse or combination of fuses has met the minimum requirements of this Part 28, and that the applicant is authorized to use and attach an approval label or other equivalent marking to any fuse manufactured, assembled, or fabricated in conformance with the plans and specifications upon which the approval was based, as evidence of such approval.

(c) *Approved* means conforming to the minimum requirements of this Part 28.

(d) *MESA* means the United States Department of the Interior, Mining Enforcement and Safety Administration. Predecessor organization to MSHA, prior to March 9, 1978.

(e) *MSHA* means the United States Department of Labor, Mine Safety and Health Administration.

(f) *Fuse* means a device, no less effective than an automatic circuit breaker, for use with direct current which provides short-circuit protection for trailing cables in coal mines by interrupting an excessive current in the circuit.

[37 FR 7562, Apr. 15, 1972, as amended at 39 FR 24003, June 28, 1974; 43 FR 12316, Mar. 24, 1978]

Subpart B—Application for Approval

§ 28.10 Application procedures.

(a) Each applicant seeking approval of a fuse for use with direct current in providing short-circuit protection for trailing cables shall arrange for submission, at applicant's own expense, of the number of fuses necessary for testing to a nationally recognized independent testing laboratory capable of performing the examination, inspection, and testing requirements of this part.

(b) The applicant shall insure, at his own expense, that the examination, inspection, and testing requirements of this part are properly and thoroughly performed by the independent testing laboratory of his choice.

(c) Upon satisfactory completion by the independent testing laboratory of the examination, inspection, and testing requirements of this part, the data and results of such examination, inspection, and tests shall be certified by both the applicant and the laboratory and shall be sent for evaluation of such data and results to Approval and Certification Center, RR 1, Box 251, Industrial Park Road, Triadelphia, WV 26059. The appropriate fee as prescribed in Part 5 of this chapter shall accompany the certified data and results.

(d) The certified data and results of the examinations, inspections, and tests required by this part and submitted to MSHA for evaluation shall be accompanied by a proposed plan for quality control which meets the minimum requirements set forth in Subpart D of this part.

(e) Each applicant shall deliver to MSHA at his own expense, three fuses of each size and type which may be necessary for evaluation of the examination, inspection, and test results by the Bureau.

(f) Applicants or their representatives may visit or communicate with Approval and Certification Center in order to discuss the requirements for approval of any fuse, or to obtain criticism of proposed designs; no charge shall be made for such consultation and no written report shall be issued